NEW YORK HERALD, SATURDAY, MARCH 14, 1868.-TRIPLE SHRET.

## WASHINGTON

Proceedings of the High Court of Impeachment.

Hot Haste of the Radical Managers.

Addresses of Messrs. Bingham, Butler and Nelson.

Ten Days Allowed the President to Prepare for Trial.

Brilliant Display of Fashion and Foreign Diplomats.

WASHINGTON, March 13, 1868. The excitement in reference to the trial of the tent culminated to-day, and Washington has n astir from an early hour this morning. Nothing the impeachment trial was talked of, and the where and how to get tickets were the all absorbing as of the hour. The Capitol, of course, wa ite large, each fair one holding in her hand the veted card of admission; but there were some disondly hoping to get the necessary cards, who were ed to walk from corrider to corridor, and failed

The mode of admission was very rigorous. Police en of Washington in twos and threes were ed at every door, and each card has to ndergo a triple examination before being recogd as valid. The audience, as a conseque culiar method of distributing the tickets resented a very distingué appearance, the plebeiar peing entirely shut out. More than two-thirds of the aditory were ladies-the crême de la crême of Wash-

Outside of the Capitol on every side were groups of men leaning lazily against the pillars and projec-tions, and wondering if they lived in a democratic ntry, where none but the upper ten were admitted to the halls of legislation.

solitary son of Africa succeeded in reaching the gal-lery. Every available inch of space on the floor of the Senate was occupied with light cane-bottom chairs, and in front of the President's desk two tables were placed, one for the prosecution and the other for the defence. Seven seats were ranged about each, paper and a silver tray and a pitcher of water on top. The Senators' desks occupy their old

When the Senate, on motion of Mr. Morton, re solved to retire for private consultation on the queson of granting time to the President to prepare his defence, a scene of delightful and excitng confusion followed. Everybody on the floor of the ate, which was thronged to its utmost capacity, stood up and made a mechanical motion for the doc nd as each one moved in a contrary direction from his eighbor amid a bewildering labyrinth of chairs and The galleries maintained comparative com osure, but the thirsty and hungry ones in the ce thought the opportunity a favorable one the restaurants in and around the Capitol, and thitherward for physical consolation

asculines wended their way.

The Senators retired in a motley crowd, and left the floor to the curious ones from the House of Re tatives. These legislative bipeds distributed over the event of the day. From the came a loud and incessant buzz of chatter from below, made a very Babel of verbal The reporters' galleries were especially ess from their labors, running into all manner of extravagant ways of enjoying their leisure time. tes came into extensive use among the ladies and each opposing gallery scrutinized the other with

There was a good deal of interest in the survey of the distinguished audience at this time. Seldom has so much beauty, wealth and fashion been represented at one time at Washington. The array and variety of rich dresses and showy head gear furnished a delightful picture to the eye, and the many animated and beautiful faces here and there were no little course the Managers of the House and the counsel for the President came in for a large share of of observation. The old man sat in a half re clining attitude, his brow knitted and lowering, face of corpse-like color, and rigidly twitching lips and and searching and supernatural expression of eye. Looking down from the gallery on the "Great Comappartiion—a reclaimed remonstrance from the tomb—a "Daniel come to judgment"—with nothing to indicate a fellowship with humanity, wrapt up in forbidding gloom and misanthropy; cold, remorse less and relentless, the very embodiment of fa-naticism, without a solitary leaven of justice or mercy. The high protruding cheekbones, coloriess parchment skin, coarse black hair and attenuated lips gave him a close resemblance to one vow with the Great Spirit of eternal hostility to the race of white men. A good many members gathered pressed itself on the old man's face. There he sat, "gloomy and peculiar" indeed—the avenging Nemesis his party-the sworn and implacable foe of the

Executive of the nation.

Butler was dressed for the occasion in a swallow tail coat and extra exposure of linen, radiant in expression and keenly alive to the grand opportunity of making an impression on his distinguished audience if not on the records of history. Logan, the dark and handsome Hoosier, kept modestly in the pearance than usual, and was eminently caim and dignified in his manner of address. Wilson, Boutwell and Williams demeaned themselves quietly and like men impressed with the gravity and moment of

and one could not help observing how isolated they seemed to be from the mass of the persons present on the floor. While the Managers of the House were surrounded in turns by congratulating friends, the three forlorn defenders of the President were throng of men. Poor Stanbery leaned his head upon his hand and gave himself up to reflection; Curtis leaned back and talked occasionally to Nelson, but all three seemed to have no link of sympathy with

The withdrawal of the members of the Impeachment Court from the chamber to the reception room in the north angle of the Senate wing of the Capitol, to consider and fix upon a day upon which the President of the United States would be required to present his answer to the charges of the House of Representatives, was pro-tracted long beyond the time anticipated by the party having the disposition of the question within their own control. Before the meeting of the Senate the more prominent Senators were busily engaged in canvassing those favoring impeachment, when it was very generally supposed that little difficulty would be experienced in determining the question of time when brought before the Senate in secret session. The fact, however, was far otherwise. A strong effort was made to reduce the limit for the answer o seven days, and led to a lively controversy. Ten

to fileen days were then proposed, and after a lerguly debate the former time was decided upon.

Two hours were thus consumed. During this delay a large crowd of Representatives and officials, as well as members of the press closely besieged the strongly guarded entrances to the corridors leading to the room in ultation was made public.

dent by the following gentlemen being present during the day:—Baron Gerelt, Minister of Prussia; Mr. Minister of Greece; Baron Wet-Minister of Sweden and Norway; armiento, Minister of the Argentine republic; Mr. Defosse, Minister Resident of Beigium; Mr. Mazel, Minister Resident of Nether-Bodisco, Secretary to the Russian Legation; Mr. Saint Ferrial, First Secretary of the French Legation,

And then, when the final decision was rendered by the Senate, that Andrew Johnson make answer on the 23d of March, a feeling of relief crept through the large and expectant assem ng definite was at length done, each one thought, and the trial, whether long or short,

was certainly soon about to take place.

The motion to adjourn was received with favor, and quite orderly and undemonstrative the audience dispersed, generally pleased with the entertainment.

During the deliberations of the Senate in secret
session Mr. Edmunds' proposition to allow the Presi-

and received but four votes. It was understood during the proceedings of ham and Wilson would resist all attempts to extend vote, however, upon Mr. Bingham's proposition to proceed forthwith, it is said, demoralized both those individuals, as it was expected that the measure would be supported, and, as a reserve, Ben Butler was pressed into service, and made his few remarks. advocating prompt action on the report of the Se

to-day. There was no admission of visitors on ac-Secretary of State, who was represented by Mr. Frederick Seward. Mr. Stanbery and him during the forenoon, and were time in conversation relative to the apning trial. It has not yet been determined by the President as to who will form the addition to his present counsel; that will be decided upon probably during the coming week. Adjutant General Thomas, who has attended several of the Cabinet consultations recently, was not

repaired to the office of the Attorney General, for the purpose of engaging in any business there which might require his attention as the acting chief of

consultations this morning at the Attorney General's office with reference to the proceedings which are

The President will give the sixth state dinner of the season this evening, to which some fifteen or have been invited with their families.

WASHINGTON, March 13, 1868.
The house is full, the curtain up, and the show to the eyes of the admiring gallery, filled with the particularly the ladies, who verified the pre-diction of Dick Yates by coming to the exhibition in their very prettiest, and bearing upon stage and actors with looks calculated to make the gramme. Yates, "Senatorial and judicial," cast many an ardent look skyward towards the galleries, a discussion on impeachment in the chamber of the Senate. The stock company was very large, consisting of some fifty-four members, all in a row, and seated. The star actors were eleven in number, to wit:-Chase, Stevens, Bingham, Boutwell, Butler, Wilson, Logan, Williams, Stanbery, Curtis and Nelson. There were two head supes and scene shifters, Forney and Brown,

who played their parts very well and elicited from some more applause than the great stars themselves. The play was entirely new, and just produced for the first time on the American stage, after over a year's preparation. It was called "Impeachment." and was remarkably well cast, though the principal part, the President, was left out by particular desire, owing to imperfect preparation. The general plot is known to the public, and therefore it is only necessary to point out some little new dressings it has received latterly, and to make allusion to the actors, their appointments, elecution, &c. Chase was dressed in a long black gown, and occuhis piece" with great dignity and effect, though tone was not always lound enough to be heard by the audience, and particularly the corps of critics assembled in a large private box just over his head. Chase promises to make a first rate performer, judging from his style to-day; but he should look to this little defect of utterance, and bear in mind that one of the first requisites of an actor is clearness of voice and strength of ditto.
Without this he cannot hope for permanent success. ance. Stevens, in the rôle of Mephistophiles, showed some physical weakness, but overcame this defect by the intellectual force, though subdued and silent, with which he in-vested the character. He threw into it a large enough to suit the taste of the most critical. The full powers of this great actor have not been completely developed yet. He will undoubtedly come out stronger on some future occasion. It is the intention of the authors to add some new scenes to the play which will will enable Mr. Stevens to be seen to more advantage. He was dressed in a sable sait, and word a black wig. At times he smiled surdonically and seemed to gloat over his great "hit," the biggest of the season, certain to draw for a long time and better than any for a number of years. Butter was rigged up lavishly, without regard to cost. His part was very small-that of a disappointed Massachusetts statesman—but he played it to perfection. Boutwell, Wilson and Williams were also well got up, and performed capitally. Bingham, in the character of a first class spouter from the country, did not quite come up to expectation, owing, it was thought, to an unaccountable fit of nervous-ness, which he will not suffer to bother him on the next occasion. The best of performers sometimes get bothered. Logan was down for the heavy blood and thunder business; but the entire scene in which he was to have enacted the rôle of grand hero, with an unheard of number of grand armies and navies at his back, was omitted to-day. The managers reserve the right to tack on this scene again should they determine hereafter that it will pay to do so. Stanbery, in the double capacity of ex-Cabinet minister and head counsel to a great criminal brought to trial, towered away above the other stars, and undoubt edly made the highest sensation. He went est, not merely playing, and caused such an effect that most of the other stars were almost obscured, and the stock company became slightly demoralized, having to suspend the perform

ance for quite two hours to give time for recovery.

The players accordingly withdrew to the green-

room, and the addience meanwhile buzzed and flut

tered as audiences always do during intermissions.

As the minutes flew, however, the spectators be-

ame impatient, and when, at the expiration of two nortal hours, the actors returned the enduance of the audience had well nigh been worn ance of the audience had well nigh been worn but the commodation of members of the House, judiciary and others entitled to be present on the

with mock gravity. Speaker Cavanagh called for a prayer from Rev. Mr. Poland, of Ver-mont. Mr. Mungen, of Ohlo, moved that Speaker Cavanagh treat the House to a drink, to which the latter replied that "no levity would be allowed, and that if the gentieman from Ohio per-sisted in the motion he would call him 'Mungen' by name." A number of dreadful attempts at small vit followed, and Cavanagh finally aban chair with the remark, "Oh, pshaw! You fellows don't know how to conduct the Third House. We do

SPECIAL CORRESPONDENCE OF THE HERALD. The Impeachment Question-Chief Just

WASHINGTON, March 12, 1868 The lull that has ensued since the presentation of the summons to the President demanding his anpearance in person or by representatives before th ample time for reflection and created a variety of as the political weathercock to indicate which way and its results accepted by the radicals as sufficient assurance that the popular sentiment a suitable frame of mind to carry out their pro moment's unnecessary delay. There is a class of radicals who are not entirely satisfied with the and argue if the people there were at all in favor of impeachment there would have been an overwhelming majority, when the truth is the

party has been unable to hold its own. It was natural to expect some expression of opinion, at least, if not of joilification over the election, but nothing has been said or done to show any gratification at the result.

Here, then, comes in the great question in the political mind—will the people sustain impeachment? The inauguration of the measure, though carried through here upon a high tide of passion and partisan animosity, the effect upon the people appears to have been widely different, and as the wave reacts from the great masses of the people upon their Representatives here, a few days of reflection has had a material effect in tempering the bitterness of many of the supporters of the measure, and it is evident many are looking back to their own part in the proceeding with some concern and laying the way for retreat if matters come to the worst.

In order to keep pace with the importance as well

are looking back to their own part in the proceeding with some concern and laying the way for retreat if matters come to the worst.

In order to keep pace with the importance as well as the solemn nature of the impending trial, great preparations will be made for the due observance of every formula. It is already known that the President has employed as his counsel some of the ablest representatives of the legal profession in the country. With a knowledge of this fact, the managers of the impeachment on the part of both branches of the national Legislature are now busily engaged in preparing themselves for the grand tournament.

The radicals are considerably exercised at the position Chief Justice Chase has assumed, and fears are entertained that the powerful arguinents of the Executive counsel will be less manageable than the ruilings of the presiding officer. It is very generally believed among the radicals that the Chief Justice will maintain a conservative stand and rule out all exhibitions of partisan malice or purposes on the part of the prosecution. It is alleged that the action of the Chief Justice will be a big card in view of his nomination as the candidate for the Presidency on the democratic ticket if he succeeds in the programme laid out by the conservatives in protracting the trial or defeating the conviction of the President. This, in connection with the anticipated decisions in the cases now pending in the supreme Court of the United States testing the constitutionality of the Reconstruction acts, give much encouragement to the conservatives, and they express great hopes that they will find a valuable supporter of their cause in the Chief Justice.

These indications have given rise to considerable anxiety on the part of the radicals, and the leaders are already earned an among themselves to devise

of their cause in the Chief Justice.

These indications have given rise to considerable anxiety on the part of the radicals, and the leaders are aircady caucusing among themselves to devise a plan to thwart any purposes of this kind. They do not fail to express their opinions very deflantly, in the event of such a game being practised upon them. The most bitter of this faction say if the course of the Chief Justice does not accord with their views they have at least the resource of appealing from his decisions and submitting them to the sense of the court. But the precedent already established in the appeal from the decision of the Chief Justice, on a former occasion, makes it doubtful whether they will succeed any bet-

ter in the event of a repetition of the same course. A division of this nature between the Judge and the Jury, instead of accomplishing any purpose of the radicals, will subserve the interests of the opposition by delaying the proceedings and probably driving the impeachers to such lengths as to cast such odium upon their conduct as will present no very fattering picture of the impartiality, justice or discretion of those favoring the measure.

The conservatives see in a condition of things of this character their strength and brightest nopes, and while they will assume an appearance of indifference, trusting to the justice of the court, will not lose an opportunity to throw quietly every impediment in the way of their opponents and widen the breach which seems to be inevitable. Within the past week the change manifested by many members of the House of Representatives seems to indicate less encouragement from that body than was looked for. Having relieved themselves from the responsibility of further prosecuting the measure than the adoption of articles of impeachment, they are now disposed to throw the whole burden upon the Senate, while they will be passive spectators of their action.

The predominating idea in the mind of the leaders is the perpetuation of party power and ascendancy, and for this purpose the most enthusiastic friends of the measure are willing and ready to respond to any means of accomplishing a triumph. This idea of party and self-defence has already been so generally admitted that the radicals are keeping a vigitant watch on the movements of any one whom they have reason to suspect will be found wanting when the final test is reached. The argument to meet such cases is that the failure to impeach the President will be equivalent to the utter run of the radical party, so the watchword is impeachment right or wrong. Those of the House of Representatives who have placed themselves on the record on the vote on the resolution of the House for the purpose of preferring charges, admit this logic

consideration of the welfare of those who sent them here.

The lobbyists are in a lugubrious frame of mind over the impeachment movement, and are in favor, indifferently of either extreme, to knock the thing in the head at once or to rush it barough at lightning speed. They perceive in the distance an entire suspension of legislation, and, as a consequence, their operations will be entirely suspended. By prolonging the trial it is understood the remainder of the session will be devoted to business of the most pressing necessity, in order to admit of an early adjournment. To this course the head of the session will be devoted to dustiness of the most pressing necessity, in order to admit of an early adjournment. To this course the head doubtful will try their hand by way of pastine in hurrylag up the proceedings of the High Court of Impeachment.

THE HIGH COURT OF IMPEACHMENT.

Trial of President Andrew Johnson. Charged with High Crimes and Misdemeanors.

First Day's Proceedings.

UNITED STATES SENATE CHAMBER, ) WASHINGTON, March 18, 1868. The favored ticket holders to seats in the galleries commenced pouring into the Capitol by ten o'clock, and by eleven o'clock the ladies' gallery was packed by as brilliant an audience as upon a full dress opera night. None were permitted to pass the Supreme Court door without tickets, and guards were placed at half a dozen points thereon to the entrance of the galleries. A heavy poilce force is on hand. The rules are rigidly enforced, and hundreds of strangers, ignorant of the necessity of obtaining tickets, were mined back disappointed. The Senators' seats are arranged as before. In the open space in front of the President's chair are two long tables, each furnished with seven chairs. One of the tables is inended for the Managers and the other for the coun-

early. By half-past eleven o'clock half the Senators had appeared and ranged themselves in little knots discussing the momentous business of the day. It is noticeable that not a single negro is in the galleries; the section usually occupied by them is filled with ladies. There is no rush and no crowding of doors and aisles; everything is conducted with perfect order and decorum.

The Chaplain invoked a blessing upon those nov entering upon this high and important duty and upon whom rest the eyes of the country and of the world, that they may be guided by divine wisdom, and that this high court may be led to such a verdic as God will approve in the high court of heaven, and At one o'clock the Senate suspended business and the President pro tem, announced that the Chair

short pause, and the Sergeant-at-Arms made a pro-clamation in the usual form.

The Secretary of the Senate (Mr. J. W. Forney) ther read the journal of the last meeting of the Court. During the reading a long file of the members of the House could be seen through the half-open door.

On motion of Mr. Conkling the reading of the

At the conclusion of the reading, Mr. HOWARD Chairman of the committee of seven, submitted the

Ordered, That the Secretary inform the House of Representatives that the Senate is in its Chamber and ready to proceed in the trial of Andrew Johnson President of the United States, and that seats a rovoided for the accommodation of its members.

The CHIEF JUSTICE directed the Sergeant-at-Arms reant-at-Arms then opened the door and anthe part of the House of Representatives,"

The Managers appeared and by direction of the Chief Justice took seats at the table on the left of the

Mr. GRIMES suggested that the Senators who had

Patterson, of N. H., and Vickers. Mr. Doolittle was Vickers came forward and the oath was adminis to them by the Chief Justice. The Sergeant-at-Arms then subscribed to the fol

owing affidavit, which was read by the Clerk:-The foregoing writ of summons, addressed to Andrew Johnson, President of the United States, and the foregoing precept, addressed to me, were this day served upon Andrew Johnson by delivering to and leaving with him copies of the same, at the Executive Mansion, the usual place of abode of the said Andrew Johnson, on Saturday, the seventh day of March instant at seven places.

GEORGE G. BROWN, Sergeant-at-Arms of the United States Senate The CHIEF JUSTICE-The Sergeant-at-Arms will

drew Johnson, President of the United States Andrew Johnson, President of the United States exhibited against you by the House of Representa-

every eye was turned that way for a moment, but Mr. Butler alone entered and took his seat with the

Senator Jounson rose and said something in voice inaudible in the gallery, whereupon the CHIEF JUSTICE said:—The Sergeant-at-Arms will inform the

counsel of the President.

The President's counsel, Messrs. Stanbery, Curtis and Nelson, were ushered in at the side door and Stanbery on the right, the others in the order named.

Mr. Conkling offered the following by direction of

Ordered, That the twenty-third rule of the Senate for proceedings on the trial of impeachment be amended by inserting after the word "debate" in the second line, the following words:—"subject, however, to the operation of rule seven," so that if amended it will read as follows:—

\*Twenty-third-All the orders and decisions shall be made and had by yeas and nays, which shall be entered on the record, and without debate, subject, however, to the rule of seven, &c.

Rule seven provides that the presiding officer may in the first instance submit to the Senate, without a

intention, but that the qualifying words were accidentally omitted.

At twenty minutes past one the Sergeant-at-Arms announced the members of the Heuse of Representa tives, and the members entered and distributed themselves as far as possible among the chairs, and sofus not already occupied by those having the entrée to the chamber under the rules. Many, how-

ever, did not find seats at once.

Mr. STANBERY then rose and said:—Mr. Chief Ju tice, my brothers Curtis, Nelson and myself are here this morning as counsel for the President. I have

Mr. STANBERRY read as follows:-

Mr. Stanbern read as follows:—

In the matter of the impeachment of Andrew Johnson, President of the United States:—Mr. Chief Justice, I, Andrew Johnson, President of the United States, having been served with a summons to appear before this honorable court, sitting as a Court of impeachment, to answer certain articles of impeachment found and presented against me by the honorable the House of Representatives of the United States, do hereby enter my appearance by my counsel, Henry Stanbery, Benjamin R. Curtis, Jereminh S. Riack, William M. Evarts and Thomas A. R. Nelson, who have my warrant and authority therefor, and who are instructed by me to ask of this honorable court for a reasonable time for the preparation of my answer to said articles. After a careful examination of the articles of impeachment and consultation with my counsel I am satisfied that at least forty days will be necessary for the preparation of my answer, and I respectfully ask that it be allowed.

Mr. Stanbery—I have also a professions, statemen in support of the application. Whether it is in order

in support of the application. Whether it is in order to offer it now the Chair will decide. The CHIEF JUSTICE-The appearance will be consid

ered as entered. You can proceed. Mr. STANBERY again read as follows:-

ered as entered. You can proceed.

Mr. STANBERY again read as follows:—

In the matter of the impeachment of Andrew Johnson, President of the United States:—Henry Stanbery, Benjamin R. Curtis, Jeremiah S. Black, William M. Evarts and Thomas A. K. Nelson, of counsel for the respondent, move the court for the allowance of forty days for the preparation of the answer to the articles of impeachment, and in support of the motion make the following statement:—The articles are eleven in number, involving many questions of law and fact. We have, during the limited time and opportunity offered us, considered as far as possible the field of investigation which must be explored in the preparation of the answer; and the conclusion at which we have arrived is that, with the utmost diligence, the time we have asked is reasonable and necessary. The precedents as to time for answer upon impeachment before the Senate, to which we have had opportunity to refer, are those of Judge Chase and Judge Peck. In the case of Judge Chase time was allowed from the 5d of January until the 11th of February next succeeding to put in his answer and it was granted. It appears that Judge Peck had been long cognizant of the ground laid for his impeachment, 3d had been present before the committee of the House upon the examination of the witnesses, and had been permitted by the House of Representatives to present to that body an elaborate answer to the charges. It is apparent that the President is fairly entitled to more time than was allowed in eliher of the foregoing cases, and it is proper to add that the respondents in those cases were law-yers, fully capable of preparing their own answers, and that no pressing official duties interfered with their attention to that business; whereas, the President from the usual hours that most be devoted to his high official duties. We further beg leave to suggest for the consideration of this honorable court that as counsel, careful as well of their own reputation as of the intervals as are allowed to the P

such opportunity to discharge their duty as see

such opportunity to discharge their duty as seems to them to be absolutely necessary.

HENRY STANBERY,
BENJ R. OURTIS,
J. L. BLACK,
WM. M. EVARTS,
THOS. A. R. NELSON,
Counsel for Respondent.

Mr. BINGHAM, Chairman of the Managers on the part of the House, sald:—Mr. President, I am instructed by the Managers on the part of the House, to suggest that, under the eighth rule adopted by the Senate for the government of these proceedings, after the appearance of the accused a motion for continuance is not allowed, the language of the rule being that if he appeal and file an answer the case shall proceed as the general issue. If he do not appear the case shall proceed as on the general issue. The managers appeared at the bar of the Senate impressed with the belief that the rule meant precisely what it says, and that in default of an appearance the trial would proceed as on a plea of not guilty. If on appearance no answer be filed, the trial shall still, according to the language of the rule, proceed as on a plea of not guilty. If on appearance no answer be filed, the trial shall still, according to the language of the rule, proceed as on a plea of not guilty.

Mr. CUETIS, of counsel for the President, said:—Mr. Chief Justice, if the construction which the managers have put upon the rule be correct, the counsel for the President have been entirely misled by the phraseology of the rule. They (meaning counsel for the President) have construed the rule in the light of similar rules existing in courts of in the subpona is to appear on a certain day and answer the plea. But certainly it was never understood that they were to answer the plea on the day of their appearance. So it is in a variety of other legal proceedings; parties are summoned to appear on a certain day, but the day when they are to answer is either fixed by some general rule of the tribunal or there is to be a special order in this particular case. Now here we find a rule by which the President is required to appear on the day of their appearance. So it is i

as aforesaid, or, appearing, shall fail to file his answer to such articles of Impeachment, the trial shall proceed, nevertheless, as upon a plea of not guilty.

Mr. Sherman moved that the day for answer be fixed as April 6.

Mr. Butler asked to be heard on behalf of the Managers, and asked why railroad speed should not be used on this trial. He said railroads and telegraphs could be used for bringing witnesses, &c., and affected all the business of life. He contended that the rules and precedents of ordinary courts were not applicable to this trial. In ordinary troits no danger resulted from delay. In this case the necessity for prompt action was pressing. The respondent at the bar controlled the power of the nation, and might, in any moment of passion, prejudice or wrong, use it for the injury and ruin of the country. The business of the War Department would stop until the result of this trial was reached. The pulse of the nation beats in perturbation while the trial goes on. He claimed that an earlier day should be fixed for the defendant's appearance, and if then he can show that he has not had time to prepare, grant him the indulgence of further time. He said the defendant knew on the 22d of February what he would have to do, and he had had had fourteen days longer time for preparation than the managers. He remarked that it could not be said hereafter that the charges brought were frivolous, because the accused says they are so grave that he will need forty days to prepare an answer to them. The learned counsel, in the professional statement submitted to the Senate, refer to the cases of Judge Chase and Judge Peck, and I prosume that in the examination of the records of these cases the attention of counsel was directed to the rules adopted by the Senate for the trial of Judge Peck being the third rule, prescribing the summons, and required that on a day to be fixed the respondent should then and there appear and answer. The same rule was adopted in the Chase of Judge Chase and Judge Peck being the interest

rule at this time, we ask for its enforcement.

Mr. Strangers said:—The action taken by the Managers is so singular that in the whole course of my practice I have not met with an example of it. The President of the United States, Mr. Chief Justice, is arraigned on impeachment by the House of Representatives—a case of the greatest magnitude that we have ever had—and it is too grave to be treated as if it were a case before a police court, to be put through with railroad speed on the first day of the trial. Where do my learned friends find a precedent for calling on the trial on this day? They say—"We have notified you to appear here to answer on a given day." We are here, we enter our appearance. As my learned brother, Mr. Curtis, has said, you have used precisely the language that is used in a subgema in chancery; but who ever heard that when a defendant in chancery made has appearance he must appear with his answer, ready to go on with the case and must enter on the trial? Of course we come here to enter our appearance; we state that we are ready to answer; we do not wish the case to go by default, we want time—reasonable time—nothing more. Consider that it is but a few days since the President was served with the summons; that a syet all this counsel are not present, Your Honor will observe that of five counsel who signed this professional statement two are not present, and could not be present, and one of them, i am sure, is not in the city. Not one of them, on looking at these articles, supected that it was the intention to bring on the trial at this day. Yet we inderstand the gentlemen are righ; if we are here to answer to-day and to go on wife the trial to-day, then this is the day for the trial. Further says—"the day appointed for the return—"the present of the gentlemen are righ; if we are here to answer to-day and to go on wife the day appointed for the return—"the present of "not guilty" on the general issue and good and the our the pre-sat without answer the cours, and only asks time. The tenth rule

ble time, and then we shall be prepared for the trial and for the sentence of the court, whatever it may be.

The Chief Justice, rising, sald:—The Chief Justice would state, at the start, that he is embarrassed fit the construction of the rules. The twenty-first rule provides that the case, on each side, may be opened by one person. He understands that as referring to the case when the evidence and the case are ready for argument. The twentieth rule provides that all preliminary or interlocutory questions and all motions shall be argued for not exceeding one hour on each side, unless the Senate shall, by order, extend the time. Whether that is intended to apply to the whole argument on each side, or to the arguments of each counsel who may address the court, is a question which the Chief Justice is at a loss to solve. In the present case he has allowed the argument to proceed without altempting to restrict it, and usless the Senate order otherwise he will proceed in that course.

Mr. Bingham said—It was not my purpose, when I raised the question under the rule prescribed by the Senate, to fouch in any way on the merits of any application which might be made for the extension of the time for the preparation for the trial. The only object I had in view, Mr. President, was to see

application which might be made for the extens of the time for the proparation for the trial, only object I had in view, Mr. President, was to whether the Senate were disposed to antice of own rules, and by raising the question to ren the Senators of what they do know, that, in this

learned and accomplished friend, Mr. Stanbery, who has just taken his seat, that he failed to discriminate between the objection made here and the objection which might hereafter be made for the motion for the continuance of the trial. But, Mr. President, there is nothing clearer, nothing better known to my learned and accomplished friend than that the making of the issue before any tribunal of justice and the trial are very distinct transactions. That is perfectly well understood. A very remarkable case in the State trials lies before me, where Lord Holt presided at the trial of Sir Richard Brown. Preston and others for high treason, and when counsel appeared, as the gentleman appeared this morning, in the court to ask for a continuance the answer which fell from the lips of the Lord Chief Justice perpetually was:—"We are not to consider the question of the trial or the time of the trial until a plea be pleaded, because, as his lordship very well remarked, it may happen that no trial will be required." Perchance you may plead guilty to the indictment, and so the rule lying before us contemplated. The last clause of it provides that if the defendant appear and shall plead guilty there may be no further proceedings in the case, no trial about it. Nothing would remain to be done but to pronounce judgment under the constitution. It is time for us to talk about the trial when we have an issue. The rule is a plain one, a simple one, and I may be pardoned for saying that I fail to perceive anything in rules ten and eleven, to which the learned counsel have referred, which in any kind of construction can be applied to limit the effect of the words in rule eight, to wit:—"That if the party fail to appear, either in person or by counsel, on the day named in the summons, the trial shall proceed as on the plea can be applied to limit the effect of the words in rule eight, to wit:—"That if the party fall to appear, either in person or by counsel, on the day named in the summons, the trial shall proceed as on the pies of "Not guilty;" and, further, that, if falling on the day named in the summons, either in person or by attorney, to answer the articles, the trial shall nevertheless proceed as on a pies of "Not guilty." When words are plain in written law there is an end of construction; they shall be followed. The managers so thought when they appeared at this bar. All that they ask is that the rule be enforced, not postponed for forty days, to be met at the end of that time, perhaps, with a dilatory pies and motion "if you piesse to quash the articles," or with a question raising the inquiry whether this is the Senate of the United States. It seems to me, if I may be pardoned in making one other remark, that in prescribing both these rules, that the summons shall issue to be returned on a day certain, given, as be partoned in making one other remark, that in prescribing both these rules, that the summons shall issue to be returned on a day certain, given, as in this case, six days in advance, it was intended thereby to enable the party on the day fixed for his appearance to come to this bar and make his answer to these articles. I may be pardoned for saying further, what is doubtless known to every one within the hearing of my voice, that technical rules do in no way control or limit or temper the action of this body; that under the plea of not guilty every conceivable defence which this party can make to these articles, if they be articles at all, if they be preferred by a competent tribunal at all, can be attempted, why, then, this delay of forty days to draw up an answer? What we desire to know on behalf of the House of Representatives, by whose order we appear here, is whether an answer is to be filed in accordance with the rule? and, if it be not filed, whether the rule itself is to be enforced by the Senate and a plea of not guilty entered upon the accused? That is our inquiry. It is not my purpose to enter on the discussion at all as to the postponing of the day for the progress of the trial. My desire is for the present to see whether, under this rule and by force of this rule, we can obtain an issue.

The CHIEF JUSTICE—Senators, the counsel for the President submit a motion that forty days be allowed for the preparation of his answer. The rule requires that, as every question shall be taken without debate, you who are in favor of agreeing to that motion say aye.

Senator Emunnes, rising, said—Mr. President, on this subject I submit the following order:—

Ordered, That the respondent the his answer to the articles of impeachment on or before the last day of April next, and

Senator Edmunds, rising, said—Mr. President, on this subject I subinit the following order:—
Ordered, That the respondent file his answer to the articles of impeachment on or before the lat day of April next, and that the managers of impeachment file their replication thereto within three days thereafters, and that the managers of impeachment file their replication thereto within three days thereafters, and that the matter stand for trial on Monday, April 6, 1885.

Senator MORTON—I move that the Senate retire for the purpose of consultation.

Mr. BINGHAM—I am instructed by the managers to request that the Senate shall pass on the motion under the eighth rule and reject the application to defer the day of answer.

The CHIEF JUSTICE—The Chief Justice will recognize the motion of the Senator from Vermont (Mr. Edmunds) as an amendment to the motion submitted by the counsel for the Fresident.

Senator CONKLING—What is to become of the motion of the Senator from Indiana (Mr. Morton)?

Senator SUMNER—What was the motion of the Senator Townking—That the Senate retire for the purpose of consultation.

Senator SUMNER—That is the true motion.

The Chief JUSTICE put the question and declared it carried, and the Senate then retired from the Chamber at two o'clock P. M.

The galleries thinned considerably, while the court was in recess, not half the House and other occupants remaining, and they scattered in knots among the Senators' seats and elsewhere; the Managers meanwhile, occasionally, consulted or pored over books bound in law calf. Mr. Stevens discussed with apparent relish some raw oysters brought him from the refectory. Mr. Wade was on the floor during most of the time occupied by the consultation.

At seven minutes past four o'clock the Senators reconstration.

consultation.

At seven minutes past four o'clock the re-entered and took their seats. When o restored the Chief Justice said:—The motion

Ordered, That the respondent answer to the articles seachment on or before the 23d day of March instant. peachment on or before the EM day of March instant.

Mr. BINGHAM—Mr. President, I am instructed by
the Managers to submit to the consideration of the
Senate the following motion, and ask that it may be
reported by the secretary.

The SECRETARY read as follows:—

reported by the secretary.

The SECRETARY read as follows:—

Ordered, That before the filing of replication by the part of the House of Representatives, the half of Andrew Johnson, Fresident of the United States, pon the articles of impeachment exhibited by the House of Representatives, thal proceed forthwith.

The Chair put the question and said the yeas appeared to have it, but the yeas and half of the yeas and half of the peach of the peach

cenator SHERMAN one.
Which was read:
Ordered, That the trial of the articles of shall proceed on the 5th day of April next.

which was read:—

which was read:—
Ordered, That the trial of the articles of shall proceed on the 6th day of April next.
Senator Howard—I hope not, Mr. President.
Senator Wilson moved to amend by making it the first instead of the sixth of April next.

Mr. BUTLER—I would like to inquire of the President of the Senate if the Managers on the part of the House have a right to be heard.

Mr. BUTLER—Mr. President and gentlemen of the Senate, however angracious it may seem on the part of the Managers have a right to be heard.

Mr. BUTLER—Mr. President and gentlemen of the Senate, however angracious it may seem on the part of the Managers representing the House of Representatives, and thereby representing the people of the United States, in pressing an early trial of the accused, yet our duty to those who send us here, representing their wishes, speaking in their behalf and by their command, the peace of the country, the interests of the people—all seem to require that we should urge the speediest possible trial. Among the reasons why the trial is sought to be delayed the learned counsel who appear for the accused have brought to the attention of the Senate precedents in early days. We are told that tailroad speed was not to be used in this trial. Sir, why not? Railroads have affected everything else in this world; telegraphs have brought places together that were thousands of miles apart; it takes infinitely less time, if I may use so strong an expression, to bring a witness from California now than it took to send to Philadelphia for one in the case of the trial of Judge Chase; and therefore we must not shut our eyes to the fact, that there are railroads, and there are telegraphs to give the accused the privilege of calling, his counsel together and of getting answers from any witnesses that he may have summoned and to bring then here. It should have an important bearing on the course we are to take that the are to sum of the course of the trial of judge Chase; and therefore we must not shut or or or or or or or or poses so to do. Sir, who is the criminal?—I be don of the counsel for the respondent. He Chief Executive of the nation. When I said that I have taken out from all rule this because. I submit with deference, sir, that fo arst time in the history of the world has a i

CONTINUED ON SEVENTH PAGE.